

EXHIBIT E - PART 7

1 - Donald Smith -

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2 Q. Do you know what directives, if
3 any, he looked at?

4 A. I don't recall.

5 Q. Did you ever speak with him about
6 what suicide screening procedures he looked at?

7 A. I don't recall. But I'm sure it
8 would have been the -- well, I don't recall.

9 Q. In other words, do you know if he
10 looked at AmeriCor's procedures as well as the
11 jail's?

12 A. AmeriCor -- the suicide actually
13 happened -- the suicide happened -- I'm trying
14 to think. AmeriCor was -- I'm trying to put
15 this in perspective. AmeriCor was in place on 1
16 July of 2003, so the suicide -- they were in
17 place, but the mental health portion was not in
18 place.

19 Q. So it's your belief that Perry
20 would not have looked at AmeriCor's procedures?

21 A. I don't recall.

22 Q. Do you know if IG Perry looked in
23 any way at the form that the county used for
24 suicide screening, compared it to the state's
25 form at all?

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2 A. I don't know. But if he had, we
3 would have changed it then.

4 Q. With respect to the --

5 A. Let me say this. If he had and he
6 had discerned there was a difference, we would
7 have changed it then. So I don't know.

8 Q. With respect to the second
9 paragraph, you referred to the correction
10 officer being counseled regarding rounding off
11 times. And then you state, "As part of our
12 training in August it was again covered and the
13 staff was instructed to record actual times."

14 You see that?

15 A. Yes.

16 Q. You don't indicate there that the
17 policy or procedure was changed with regard to
18 recording actual time versus rounded off times?

19 A. No, I believe I found that out
20 later, but I don't recall.

21 Q. But you know that that policy was
22 in fact changed?

23 A. Yes. Because it was more than --
24 it was more than just -- we wanted to make sure
25 it was more than just one person, that it was

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2 for everyone.

3 *(Recess held.)*

4 MS. BERG: I believe I have
5 nothing further.

6 MR. KLEINBERG: I have no
7 questions.

8 MR. COON: No questions.

9 MR. RANDAZZO: No questions.

10 (Time Noted: 4:24 p.m.)

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1 STATE OF NEW YORK)
2)
3 ss:
4 COUNTY OF PUTNAM)
5
6

7 I, DONALD SMITH, the witness
8 herein, having read the foregoing testimony of
9 the pages of this deposition, do hereby certify
10 it to be a true and correct transcript, subject
11 to the corrections, if any, shown on the
12 attached page.

13
14
15 ooo
16
17
18

19 _____
20 Donald Smith
21

22 Subscribed and sworn to before me
23 this ____ day of ____, 2008.
24
25 _____

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2 STATE OF NEW YORK)
3) ss
4 COUNTY OF ROCKLAND)
5

6 I, Gale Salit, Notary Public within
7 and for the State of New York, do hereby
8 certify:

9

10 That I reported the proceedings in the
11 within entitled matter, and that the within
12 transcript is a true record of said
13 proceedings.

14

15 I further certify that I am not
16 related to any of the parties to the action by
17 blood or marriage, and that I am in no way
18 interested in the outcome of this matter.

19

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 22nd day of February, 2008.

22

23 GALE SALIT,
24 NOTARY PUBLIC

25

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1 2 ***I N D E X***
2
3 PAGE# LINE#
4
5 EXAMINATION BY:
6 MS. BERG 4 10
7
8 DOCUMENT/DATA REQUESTED:
9 NONE
10
11 PLAINTIFF'S EXHIBITS:
12 46 Inter-Office Memo,
13 12/13/06 130 22
14
15 47 Letter, 10/29/04 179 22
16
17
18 DEFENDANT'S EXHIBITS:
19 NONE
20
21
22
23
24
25 RULINGS CONTEMPLATED:
26 NONE

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CORRECTION SHEET

3

4 Re: Deposition of Donald Smith

5 The following corrections,
6 additions or deletions were noted on the
7 transcript of the testimony which I gave in the
8 above-captioned matter, held on February 13,
9 2008.

10

11 PAGE(S) LINE(S) SHOULD READ

12 _____ * _____ *

13 _____ * _____ *

14 _____ * _____ *

15 _____ * _____ *

16 _____ * _____ *

17 _____ * _____ *

18 _____ * _____ *

19 _____ * _____ *

20

21 Donald Smith

22

Subscribed and sworn to before me

23

this ____ day of _____ 2008.

24

25

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